

Application No.: 10/686123

Case No.: 58659US002

REMARKS

Reexamination and reconsideration of the application as amended is respectfully requested. Additionally Applicants object to the finality of the office action as not complying with the Patent Office's requirements under M.P.E.P. §706.07(a). This section clearly states that a second or subsequent action on the merit can be made final where applicant's amendments necessitated the new grounds of action except in the situation where it is based on information submitted in a information disclosure statement filed during the period set forth in 37 C.F.R. 1.97(c). Namely the new final rejection can not be based on art of record. The prior art being newly applied was submitted in an Information Disclosure Section complying with Section 1.97(c) on February 23, 2004.

With respect to the new art rejection it is submitted that the application Kacher is not combinable with Schortmann they teach entirely different methods to attach elements to a nonwoven web. In Kacher discreet hook patches are essentially adhered to the outer face of a substrate, which admittedly may be a nonwoven. However, there is no embedding of the hook containing material within the nonwoven, as is acknowledge in the rejection as articulated in paragraph 2. The secondary reference Schortmann does not teach a method to generically incorporate protrusion containing backing elements into a nonwoven web. All that is disclosed in Schortmann is that with a reticulated foam a high pressure hydroentangling process can be used which will break up the foam and embed the pieces randomly within a nonwoven web. It would appear that the foam and the various cells of the foam break up in the process forming rough edges due to the breaking action, which creates the rough texture required for it's scrubbing applications. This method would be antithetical to what is desired in Kacher namely a disposable cleaning implement with obstanding projections of a specific type ranged in a specific prearranged manner to allow the removal of debris. The hydroentangling process of Schortmann would suggest that doing this to the Kacher hooks would result in them breaking up and being randomly distributed within the nonwoven. If the combination would be made at all by one of skill in the art which it would not be.

However, in order to clarify issues, Applicant's have amended Claim 1 to add more specific limitations regarding the nature of the strands and projection and their orientation and

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location within the composite. Specifically that the backing containing element is formed of two sets of intersecting strands, at least one set of strands has the upstanding protrusions which protrusions are the ones which extend to the outer face of the composite. This is neither taught nor suggested in Kacher or Schortmann alone or in any conceivable combination.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested.

Respectfully submitted,

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Date

By: [Signature]  
William J. Bond, Reg. No.: 32,400  
Telephone No.: 651-736-4790

Office of Intellectual Property Counsel  
3M Innovative Properties Company  
Facsimile No.: 651-736-3833